

# Abortion in Times of Disinformation

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The situation in Brazil has been chaotic for the past few months, to say the least. The South American country just [surpassed the sad milestone of 100 thousand coronavirus-related deaths](#) and the federal government shows no signs of changing course. The pandemic aside, last weekend (August 15-16) turned out to be a frightening memento of the dangers represented by an ultra-conservative and irresponsible federal administration.

## A 10-Year-Old Girl

Our tale begins with a ten-year-old girl. She is taken to a hospital in Southeast Brazil by her family due to a suspected pregnancy. First, news are that she is three months pregnant, victim of sexual abuse perpetrated by her uncle, who has allegedly been raping her since the age of six. By the time the first reports were posted online we had no way of knowing, but her mother has passed away, her father is in jail and she lives with her grandparents.

A gut-wrenching story that, unfortunately, remains very common throughout the country. [According to the BBC](#), four girls under the age of thirteen are raped every hour in Brazil. Every year, 26 thousand deliveries by mothers between ten and fourteen years of age take place. Although the girl's case is just one among many stories that go untold, it somehow emerged from the fringes of everyday life and became a major political event.

## Statutory and Constitutional Landscape

In Brazil, there is no constitutional or statutory right to terminate a pregnancy. The penal code of 1940 criminalizes abortion, unless the life of the mother is endangered or she has been a victim of rape. These two statutory exceptions are complemented by yet a third, which springs from a [2012 Supreme Court decision](#). In a 8-2 ruling, the Supreme Federal Tribunal (STF) decriminalized abortion of anencephalic fetuses. The groundbreaking decision was issued when Brazil was coping with a Zika virus epidemic, a viral infection known to cause [an array of birth defects](#).

On the other hand, Brazil has a landmark legislation which was drafted around the principles of child protection and personal development, known as the Child and Youth Bill of Rights of 1990. Furthermore, the 1988 Constitution recognizes child protection as a fundamental right. It is also a constitutional duty of both the family and the State to protect all children from harm. It is clear that a pregnant ten-year-old girl who was continuously raped by her uncle had her most fundamental rights violated for (at least) the last four years of her short life.

Logically, this girl would be legally entitled to a safe abortion under Brazilian law. She is still a child, her body is not capable of supporting a full-blown pregnancy, and she was a recurring victim of sexual abuse. There is no question that her claim for an abortion is protected by law. She should not be obliged to face the horrendous consequences of sexual violence for the pending months of pregnancy (and, indeed, for the rest of her life). Forcing someone bear a child under these extreme circumstances amounts to torture.

It should have been as straightforward as that. A ten-year-old is raped and now is pregnant. According to Brazilian law, she has the right to terminate her pregnancy at will. However, the girl from our tale yet again had her most fundamental rights violated. The Minister of “Women, Family and Human Rights”, Damares Alves, promised to “help her” if she carried the pregnancy to term. Damares is an evangelical pastor turned politician who has strong ties with anti-choice Christian groups. It is, therefore, unsurprising that she now uses the Ministry’s platform to leverage her fundamentalist agenda.

## **Enter the Judges (and Sara Winter)**

After Damares’ offer, a judge from the Special Court for Childhood and Youth Rights in the state of Espírito Santo authorized the abortion. Nevertheless, the girl and her family had a hard time enforcing the decision. The hospital in Espírito Santo refused to offer an abortion claiming she was not three, but five months pregnant and that they lack the necessary equipment to terminate the pregnancy in that facility. More likely, the doctors were fearful of a potential backlash given the widespread media attention that the case had attracted.

At that moment, on Sunday morning, a decision was made for the child to travel to another state to have the medical assistance she desperately needed. After all, she had a judicial order authorizing her to get the procedure done (which is ultimately unnecessary, since Brazilian law unconditionally protects her right to terminate the pregnancy in case of rape). Accompanied by a social worker, she travels to a confidential location hoping to finally bring her anguish to an end. By then, she already made the headlines of every major media outlet.

The location where the procedure was to take place, alongside her identity, was supposed to be held at the highest level of confidentiality, since Brazil’s Childhood and Youth Bill of Rights (a federal statute passed by Congress thirty years ago, in 1990) states that all legal proceedings involving underage citizens shall remain secretive to protect the child or juvenile from undue exposure.

That was when the ten-year-old girl faced yet another act of violence. A far-right activist, Sara Giromini (known in Brazil as Sara Winter), posted on Twitter and YouTube the name of the girl and the address where she was supposed to get her medical treatment, a medical center in the state of Pernambuco. Ironically, when the hacker collective Anonymous [leaked her personal information online](#), Sara called them cowards and said she feared for the safety of her son. Now she was the one exposing a child on social media.

Giromini used to work for the Ministry of “Women, Family and Human Rights” under Damares Alves’ direct supervision. She was recently arrested by means of a provisional order issued by Supreme Court Justice Alexandre de Moraes after she allegedly organized anti-democratic demonstrations in Brasília, the country’s capital. The group she leads (the “300 of Brazil”, named after the mythical tale of the 300 Spartans) [launched fireworks at the Supreme Court building](#) to mimic a bomb attack. It was a theatrical stunt meant to intimidate the highest court in the land.

Giromini is also under investigation – alongside other major political figures, including Bolsonaro’s sons – over a [“fake news inquiry”](#) led by Justice de Moraes. On another occasion, Giromini headed a demonstration that mimicked the imagery used by the Ku Klux Klan, like face coverings and burning torches (see [video](#)). Alongside her fellow activists, Giromini marched through the streets of Brasília holding a torch and wearing a halloweenish mask. There is no question about Sara’s preference for fascist symbolism, including her own fictional name – Sara Winter – which presumably [pays tribute to the infamous British Nazi supporter](#). Giromini constantly brags about being [“trained in Ukraine”](#) and flags of East European Nazi groups are proudly displayed by her group.

## Chaos Ensues at the Hospital’s Doorstep

Giromini’s tweet prompted a [group of conservative Catholics](#) to gather at the entrance of the hospital in an illegal attempt to prevent the abortion. They formed a human chain to impede access to the medical facility, shouted at the doctor, called him a murderer, kneeled and prayed for the life of the fetus and, you guessed it, called the ten-year-old rape victim a murderer too.

In retrospective, the girl who suffered sexual abuse for about 40% of her life, faced a judicial process to have her legal rights protected, traveled almost 2 thousand kilometers to undergo a safe abortion, faced public scrutiny for something she did not ask for, all that being only 10 years of age, also had to endure an angry mob shouting obscenities at her and her doctor and was called a “baby killer” moments before having her undesired pregnancy terminated.

The group of religious activists tried to force their way into the hospital to prevent the abortion from taking place and had to be restrained by the police. [Videos](#) of the incident began popping up all over the internet; they show a group of people holding bibles and crucifixes, forming a human chain with no social distance in the midst of a pandemic, all to prevent a child from exercising her right to a legal abortion. After a few moments, feminist groups also showed up to confront the mob. To say the least, it was an unsettling scene to watch.

Furthermore, according to [media reports](#), at least two conservative doctors, one pediatrician and one obstetrician, tried to convince her not to have the abortion when she was already inside the hospital, waiting for the procedure.

## Anger Was Brewing on Social Media Platforms

Neither Twitter nor YouTube voluntarily deleted the messages and videos posted by Sara Winter on their platforms, even though they represented a crystal clear violation of the child's privacy and an imminent menace to her physical and psychological integrity. Speech of this kind fits squarely within their definition of harmful content. It passed the test with flying colors.

Nevertheless, it took a writ of mandamus to take down Giromini's posts, which was issued by a judge after a formal requirement was filed by the Espírito Santo's Public Defender's Office on Sunday night. By that time, it was already too late. The child's name had been exposed and the angry mob had already caused irreparable harm. [Instagram banned Giromini's account from the platform](#) on Monday and [YouTube followed suit on Tuesday](#), after a high number of complaints were brought by their users.

Disinformation over abortion has been spreading like wildfire on Brazilian social networks for a while now. In 2016, a [panel of Supreme Court justices](#) decided that abortion during the first three months of pregnancy is not a crime. The decision was only valid for that specific case, but evangelical groups feared that the justices were laying the groundwork for a future, all-encompassing decision. Their fears partially came true when, one year later, the leftist political party PSOL brought a [constitutional action](#) before the Court challenging the constitutionality of the statutory provision that criminalizes abortion.

With decriminalization possibly looming around the corner, political activists like Giromini and her followers resorted to the battlefield they know best: social media. They organized a campaign of computational propaganda aimed at sowing division and driving polarization around the topic, one that deserves a more nuanced debate. The trivialization of this sensitive issue artificially transformed it into a black and white discussion: if you are for abortion, you are killing babies; if you are against abortion, you are pro-life. But what about the fact that [abortion rates](#) go down when countries make it legal? Suddenly the positions shift. Nevertheless, there is no place for nuances when the discussion is carried out inside filter bubbles and echo chambers.

